

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Rodney Tow, Trustee
Plaintiff

vs.

John H. Speer, et al.,
Defendants

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Civil Action No. 4:11-cv-03700

JURY TRIAL DEMANDED

DEFENDANT GEORGE KOPECKY'S AMENDED ANSWER TO
TRUSTEE'S THIRD AMENDED COMPLAINT

Subject to all rights, and without waiving any rights, Defendant George Kopecky ("Mr. Kopecky" or "Defendant") hereby answers the Plaintiff's Third Amended Complaint filed by RODNEY TOW, TRUSTEE ("Trustee"), as follows:

1. Defendant admits Paragraph 1 to the extent that the Trustee has brought this adversary proceeding against Mr. Kopecky and other parties. Defendant, however, denies that he engaged in any alleged wrongful conduct.
2. Defendant admits Paragraph 2.
3. Defendant admits Paragraph 3.
4. Defendant denies Paragraph 4.
5. Defendant admits Paragraph 5.
6. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 6 and, accordingly, denies Paragraph 6.
7. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 7 and, accordingly, denies Paragraph 7.

8. Defendant admits that the Trustee states in Paragraph 8 that the Trustee will use the stated abbreviation in the complaint; otherwise, denied.

9. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 9 and, accordingly, denies Paragraph 9.

10. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 10 and, accordingly, denies Paragraph 10.

11. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 11 and, accordingly, denies Paragraph 11.

12. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 12 and, accordingly, denies Paragraph 12.

13. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 13 and, accordingly, denies Paragraph 13.

14. Defendant admits Paragraph 14.

15. Defendant denies Paragraph 15. Defendant further states that based on information and belief, Watermark Land, LP, a Delaware limited partnership, was converted to Watermark Land, LLC, a Delaware limited liability company, on or about December 31, 2008.

16. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 16 and, accordingly, denies Paragraph 16.

17. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 17 and, accordingly, denies Paragraph 17.

18. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 18 and, accordingly, denies Paragraph 18.

19. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 19 and, accordingly, denies Paragraph 19.

20. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 19 and, accordingly, denies Paragraph 19.

21. Defendant admits that the Trustee states in Paragraph 21 that the Trustee will use the stated abbreviation in the complaint; otherwise, denied.

22. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 22 and, accordingly, denies Paragraph 22.

23. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 23 and, accordingly, denies Paragraph 23.

24. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 24 and, accordingly, denies Paragraph 24.

25. Defendant admits Paragraph 25.

26. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 26 and, accordingly, denies Paragraph 26.

27. Defendant admits Paragraph 27.

28. Defendant admits that the Trustee is the appointed trustee as alleged in Paragraph 28; otherwise, denied.

29. Defendant admits the allegations in Paragraph 29, except that Defendant is without knowledge or information sufficient to form a belief of when Royce Homes ceased doing business and, accordingly, denies that alleged fact.

30. Defendant admits the allegation in Paragraph 30 that Royce Homes sold homes in Houston and other markets, but Defendant is without knowledge or information sufficient to form a belief of the remaining characterization of the nature of the business of Royce Homes and, accordingly, denies those allegations.

31. Defendant admits the first and second sentences of Paragraph 31. Defendant denies the factual allegations of the third sentence of Paragraph 31 alleging that Mr. Kopecky was an officer, insider and exercised any control over Royce Homes and/or its related entities. Defendant is without knowledge or information sufficient to form a belief about the truth of the remainder of Paragraph 31 and, accordingly, denies the remainder of Paragraph 31.

32. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 32 and, accordingly, denies Paragraph 32.

33. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 33 and, accordingly, denies Paragraph 33.

34. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 34 and, accordingly, denies Paragraph 34.

35. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 35 and, accordingly, denies Paragraph 35.

36. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 36 and, accordingly, denies Paragraph 36.

37. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 37 and, accordingly, denies Paragraph 37.

38. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 38 and, accordingly, denies Paragraph 38.

39. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 39 and, accordingly, denies Paragraph 39.

40. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 40 and, accordingly, denies Paragraph 40.

41. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 41 and, accordingly, denies Paragraph 41.

42. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 42 and, accordingly, denies Paragraph 42.

43. Defendant denies the factual allegations of Paragraph 43.

44. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 44 and, accordingly, denies Paragraph 44.

45. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 45 and, accordingly, denies Paragraph 45.

46. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 46 and, accordingly, denies Paragraph 46.

47. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of these documents referenced in Paragraph 47, and, accordingly, denies such characterization of these documents in Paragraph 47.

48. Defendant admits the first sentence of Paragraph 48. Defendant is without

knowledge or information sufficient to form a belief about the truth of the remainder of Paragraph 48 and, accordingly, denies the second sentence of Paragraph 48.

49. Defendant denies the factual allegations of the first sentence of Paragraph 49 to the extent that it refers to Mr. Kopecky. Defendant is without knowledge or information sufficient to form a belief about the truth of the remainder of Paragraph 49 and, accordingly, denies there remainder of Paragraph 49.

50. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 50 and, accordingly, denies Paragraph 50.

51. Defendant admits Paragraph 51.

52. Defendant admits Paragraph 52 to the extent that Defendant acknowledges the Trustee is seeking alleged ill-gotten gains from the Defendant and other parties; however, Defendant denies any liability under the causes of action set forth in the Complaint.

53. Defendant is of the information and belief that Royce Homes was organized as a Delaware limited partnership as alleged Paragraph 53. Defendant is without knowledge or information sufficient to form a belief about the truth of the remainder of Paragraph 53 and, accordingly, denies the remainder of Paragraph 53.

54. Defendant admits the factual allegations of Paragraph 54.

55. Defendant admits that the original general partner of Royce Homes was Hammersmith Group, Inc. as alleged in Paragraph 55. Defendant is without knowledge or information sufficient to form a belief about the truth of the remainder of Paragraph 55 and, accordingly, denies the remainder of Paragraph 55.

56. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 56 and, accordingly, denies Paragraph 56.

57. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 57 and, accordingly, denies Paragraph 57.

58. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 58 and, accordingly, denies Paragraph 58.

59. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 59 and, accordingly, denies Paragraph 59.

60. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 60 and, accordingly, denies Paragraph 60.

61. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 61 and, accordingly, denies Paragraph 61.

62. Defendant denies Paragraph 62.

63. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 63 and, accordingly, denies Paragraph 63.

64. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 64 and, accordingly, denies Paragraph 64.

65. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 65 and, accordingly, denies Paragraph 65.

66. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 66 and, accordingly, denies Paragraph 66.

67. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 67 and, accordingly, denies Paragraph 67.

68. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 68 and, accordingly, denies Paragraph 68.

69. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 69 and, accordingly, denies Paragraph 69.

70. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 70 and, accordingly, denies Paragraph 70.

71. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 71 and, accordingly, denies Paragraph 71.

72. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 72 and, accordingly, denies Paragraph 72.

73. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 73 and, accordingly, denies Paragraph 73.

74. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 74 and, accordingly, denies Paragraph 74.

75. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 75 and, accordingly, denies Paragraph 75.

76. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 76 and, accordingly, denies Paragraph 76.

77. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 77 and, accordingly, denies Paragraph 77.

78. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 78 and, accordingly, denies Paragraph 78.

79. Defendant denies Paragraph 79.

80. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 80 and, accordingly, denies Paragraph 80.

81. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 81 and, accordingly, denies Paragraph 81.

82. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 82 and, accordingly, denies Paragraph 82.

83. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 83 and, accordingly, denies Paragraph 83.

84. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 84 and, accordingly, denies Paragraph 84.

85. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 85 and, accordingly, denies Paragraph 85.

86. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 86 and, accordingly, denies Paragraph 86.

87. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 87 and, accordingly, denies Paragraph 87.

88. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 88 and, accordingly, denies Paragraph 88.

89. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 89 and, accordingly, denies Paragraph 89.

90. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 90 and, accordingly, denies Paragraph 90.

91. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 91 and, accordingly, denies Paragraph 91.

92. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 92 and, accordingly, denies Paragraph 92.

93. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 93 and, accordingly, denies Paragraph 93.

94. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 94 and, accordingly, denies Paragraph 94.

95. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 95 and, accordingly, denies Paragraph 95.

96. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 96 and, accordingly, denies Paragraph 96.

97. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 97 and, accordingly, denies Paragraph 97.

98. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 98 and, accordingly, denies Paragraph 98.

99. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 99 and, accordingly, denies Paragraph 99.

100. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 100 and, accordingly, denies Paragraph 100.

101. As the allegations pertaining to Defendant, Defendant denies the allegations of

Paragraph 101 for the reasons set forth in this Answer. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 101 as for the other Defendants and, accordingly, denies this Paragraphs 101 as alleged as for the other Defendants.

102. Defendant incorporates all denials and admissions as set forth herein with respect to each claim set forth in the Original Complaint in response to Paragraph 102.

103. Paragraph 103 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 103.

104. Defendant denies that it was, at any relevant time, a fiduciary to Royce Homes. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 104 as for the other Defendants and, accordingly, denies this Paragraphs 104 as alleged as for the other Defendants.

105. Defendant admits Paragraph 105 to the extent that the Trustee has filed a claim for Breach of Partnership Agreement against other parties. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 105 and, accordingly, denies Paragraph 105.

106. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 106 and, accordingly, denies Paragraph 106.

107. Paragraph 107 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 107.

108. Paragraph 108 contains Trustee's legal arguments to which no response is required.

To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 108.

109. Paragraph 109 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 109.

110. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 110 and, accordingly, denies such characterization of those documents in Paragraphs 110.

111. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 111 and, accordingly, denies such characterization of those documents in Paragraphs 111.

112. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 112 and, accordingly, denies such characterization of those documents in Paragraphs 112.

113. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without

knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 113 and, accordingly, denies such characterization of those documents in Paragraphs 113.

114. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 114 and, accordingly, denies such characterization of those documents in Paragraphs 114.

115. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 115 and, accordingly, denies such characterization of those documents in Paragraphs 115.

116. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 116 and, accordingly, denies such characterization of those documents in Paragraphs 116.

117. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 117 and, accordingly, denies such

characterization of those documents in Paragraphs 117.

118. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraphs 118 and, accordingly, denies such characterization of those documents in Paragraphs 118.

119. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 119 and, accordingly, denies Paragraph 119.

120. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 120 and, accordingly, denies Paragraph 120.

121. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 121 and, accordingly, denies Paragraph 121.

122. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 122 and, accordingly, denies Paragraph 122.

123. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 123 and, accordingly, denies Paragraph 123. Defendant further denies any allegations regarding improper distributions to Defendant.

124. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 124 and, accordingly, denies Paragraph 124.

125. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 125 and, accordingly, denies Paragraph 125.

126. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 126 and, accordingly, denies Paragraph 126.

127. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 127 and, accordingly, denies Paragraph 127.

128. Defendant admits Paragraph 128 to the extent that the items set forth in Paragraph 127 total \$10,365,512.55. Otherwise, Defendant denies Paragraph 128.

129. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 129 and, accordingly, denies Paragraph 129.

130. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 130 and, accordingly, denies Paragraph 130.

131. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 131 and, accordingly, denies Paragraph 131.

132. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 132 and, accordingly, denies Paragraph 132.

133. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 133 and, accordingly, denies Paragraph 133.

134. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 134 and, accordingly, denies Paragraph 134.

135. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 135 and, accordingly, denies Paragraph 135.

136. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 136 and, accordingly, denies Paragraph 136.

137. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 137 and, accordingly, denies Paragraph 137.

138. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 138 and, accordingly, denies Paragraph 138.

139. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 139 and, accordingly, denies Paragraph 139.

140. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 140 and, accordingly, denies Paragraph 140.

141. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 141 and, accordingly, denies Paragraph 141.

142. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 142 and, accordingly, denies Paragraph 142.

143. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 143 and, accordingly, denies Paragraph 143.

144. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 144 and, accordingly, denies Paragraph 144.

145. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 145 and, accordingly, denies Paragraph 145.

146. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 146 and, accordingly, denies Paragraph 146.

147. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 147 and, accordingly, denies Paragraph 147.

148. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 148 and, accordingly, denies Paragraph 148.

149. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 149 and, accordingly, denies Paragraph 149.

150. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 150 and, accordingly, denies Paragraph 150.

151. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 151 and, accordingly, denies Paragraph 151.

152. Defendant admits Paragraph 152 to the extent that the items set forth in Paragraph 151 total \$2,667,791.02.

153. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 153 and, accordingly, denies Paragraph 153.

154. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 154 and, accordingly, denies Paragraph 154.

155. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 155 and, accordingly, denies Paragraph 155.

156. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 156 and, accordingly, denies Paragraph 156.

157. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 157 and, accordingly, denies Paragraph 157.

158. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 158 and, accordingly, denies Paragraph 158.

159. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 159 and, accordingly, denies Paragraph 159.

160. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 160 and, accordingly, denies Paragraph 160.

161. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 161 and, accordingly, denies Paragraph 161.

162. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 162 and, accordingly, denies Paragraph 162.

163. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 163 and, accordingly, denies Paragraph 163.

164. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 164 and, accordingly, denies Paragraph 164.

165. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 165 and, accordingly, denies Paragraph 165.

166. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 166 and, accordingly, denies Paragraph 166.

167. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 167 and, accordingly, denies Paragraph 167.

168. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 168 and, accordingly, denies Paragraph 168.

169. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 169 and, accordingly, denies Paragraph 169.

170. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 170 and, accordingly, denies Paragraph 170.

171. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 171 and, accordingly, denies Paragraph 171.

172. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 172 and, accordingly, denies Paragraph 172.

173. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 173 and, accordingly, denies Paragraph 173.

174. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 174 and, accordingly, denies Paragraph 174.

175. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 175 and, accordingly, denies Paragraph 175.

176. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 176 and, accordingly, denies Paragraph 176.

177. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 177 and, accordingly, denies Paragraph 177.

178. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 178 and, accordingly, denies Paragraph 178.

179. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 179 and, accordingly, denies Paragraph 179.

180. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 180 and, accordingly, denies Paragraph 180.

181. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 181 and, accordingly, denies Paragraph 181.

182. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 182 and, accordingly, denies Paragraph 182.

183. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 183 and, accordingly, denies Paragraph 183.

184. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 184 and, accordingly, denies Paragraph 184.

185. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 185 and, accordingly, denies Paragraph 185.

186. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 186 and, accordingly, denies Paragraph 186.

187. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 187 and, accordingly, denies Paragraph 187.

188. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 188 and, accordingly, denies Paragraph 188.

189. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 189 and, accordingly, denies Paragraph 189.

190. Defendant admits Paragraph 190 to the extent that the Trustee has asserted a claim for breach of fiduciary duty, as well as conspiracy, aiding and abetting, and acting in concert in the breach against the Defendant and other parties. However, Defendant denies that he participated in any alleged breach of fiduciary duty and denies that he conspired, aided and abetted, or acted in concert with any other party in a breach of fiduciary duty, and accordingly, denies any liability from

any alleged breach of fiduciary duty.

191. Defendant denies that he acted in bad faith and denies that he knowingly breached the Partnership Agreement, as alleged in Paragraph 191.

192. Defendant admits Paragraph 192 as a general proposition of law, but not as to the specific facts of this case.

193. Paragraph 193 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 193.

194. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 194, and, accordingly, denies such characterization of those documents in Paragraph 194.

195. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 195, and, accordingly, denies such characterization of those documents in Paragraph 195.

196. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 196, and, accordingly, denies such

characterization of those documents in Paragraph 196.

197. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 197, and, accordingly, denies such characterization of those documents in Paragraph 197.

198. Defendant denies the allegations of Paragraph 198.

199. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 199 and, accordingly, denies Paragraph 199.

200. Defendant denies the existence of the fiduciary duty as alleged and denies the allegations of Paragraph 200.

201. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 201 and, accordingly, denies Paragraph 201.

202. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 202 and, accordingly, denies Paragraph 202.

203. Paragraph 203 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 203.

204. Paragraph 204 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 204.

205. Defendant admits that the plain terms of the documents construed, taking into account

all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 205, and, accordingly, denies such characterization of those documents in Paragraph 205.

206. Defendant admits Paragraph 206.

207. Defendant denies the allegations of Paragraph 207 as to Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 207 and, accordingly, denies Paragraph 207.

208. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 208, and, accordingly, denies such characterization of those documents in Paragraph 208.

209. Defendant denies the allegations of Paragraph 209.

210. Defendant denies the allegations of Paragraph 210.

211. Paragraph 211 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 211.

212. Defendant denies the allegations of Paragraph 212.

213. Defendant denies the allegations of Paragraph 213.

214. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 214 and, accordingly, denies Paragraph 214.

215. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 215 and, accordingly, denies Paragraph 215.

216. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 216 and, accordingly, denies Paragraph 216.

217. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 217 and, accordingly, denies Paragraph 217.

218. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 218 and, accordingly, denies Paragraph 218.

219. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 219 and, accordingly, denies Paragraph 219.

220. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 220 and, accordingly, denies Paragraph 220.

221. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 221 and, accordingly, denies Paragraph 221.

222. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 222 and, accordingly, denies Paragraph 222.

223. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 223 and, accordingly, denies Paragraph 223.

224. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 224 and, accordingly, denies Paragraph 224.

225. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 225 and, accordingly, denies Paragraph 225.

226. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 226 and, accordingly, denies Paragraph 226.

227. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 227 and, accordingly, denies Paragraph 227.

228. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 228 and, accordingly, denies Paragraph 228.

229. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 229 and, accordingly, denies Paragraph 229.

230. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 230 and, accordingly, denies Paragraph 230.

231. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 231 and, accordingly, denies Paragraph 231.

232. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 232 and, accordingly, denies Paragraph 232.

233. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 233 and, accordingly, denies Paragraph 233.

234. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 234 and, accordingly, denies Paragraph 234.

235. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 235 and, accordingly, denies Paragraph 235.

236. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 236 and, accordingly, denies Paragraph 236.

237. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 237 and, accordingly, denies Paragraph 237.

238. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 238 and, accordingly, denies Paragraph 238.

239. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 239 and, accordingly, denies Paragraph 239.

240. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 240 and, accordingly, denies Paragraph 240.

241. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 241 and, accordingly, denies Paragraph 241.

242. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 242 and, accordingly, denies Paragraph 242.

243. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 243 and, accordingly, denies Paragraph 243.

244. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 244 and, accordingly, denies Paragraph 244.

245. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 245 and, accordingly, denies Paragraph 245.

246. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 246 and, accordingly, denies Paragraph 246. Further, Defendant denies that he allowed any distributions as alleged.

247. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 247 and, accordingly, denies Paragraph 247.

248. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 248 and, accordingly, denies Paragraph 248.

249. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 249 and, accordingly, denies Paragraph 249.

250. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 250 and, accordingly, denies Paragraph 250.

251. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 251 and, accordingly, denies Paragraph 251.

252. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 252 and, accordingly, denies Paragraph 252.

253. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 253 and, accordingly, denies Paragraph 253.

254. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 254 and, accordingly, denies Paragraph 254.

255. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 255 and, accordingly, denies Paragraph 255.

256. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 256 and, accordingly, denies Paragraph 256.

257. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 257 and, accordingly, denies Paragraph 257.

258. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 258 and, accordingly, denies Paragraph 258.

259. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 259 and, accordingly, denies Paragraph 259.

260. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 260 and, accordingly, denies Paragraph 260.

261. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 261 and, accordingly, denies Paragraph 261.

262. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 262 and, accordingly, denies Paragraph 262. Further, Defendant denies that he allowed any distributions as alleged.

263. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 263 and, accordingly, denies Paragraph 263. Further, Defendant denies that he allowed any distributions as alleged.

264. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 264 and, accordingly, denies Paragraph 264.

265. Defendant admits Paragraph 265 to the extent that it represents an accurate quotation from the Defendant's prior lawsuit against John Speer, et al. Otherwise, Defendant denies Paragraph 265.

266. Defendant denies conspiring with, aiding, abetting, or acting in concert to effect any breach of fiduciary duty. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of the remainder of Paragraph 266 and, accordingly, denies the remainder of Paragraph 266.

267. Defendant admits Paragraph 267 to the extent that the Trustee has asserted a claim for breach of fiduciary duty, as well as conspiracy, aiding and abetting, and acting in concert in the breach against parties other than the Defendant. Otherwise, Defendant denies Paragraph 267.

268. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 268 and, accordingly, denies Paragraph 268.

269. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 269 and, accordingly, denies Paragraph 269.

270. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 270 and, accordingly, denies Paragraph 270.

271. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 271 and, accordingly, denies Paragraph 271.

272. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 272 and, accordingly, denies Paragraph 272.

273. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 273 and, accordingly, denies Paragraph 273.

274. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 274 and, accordingly, denies Paragraph 274.

275. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 275 and, accordingly, denies Paragraph 275.

276. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 276 and, accordingly, denies Paragraph 276.

277. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 277 and, accordingly, denies Paragraph 277.

278. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 278 and, accordingly, denies Paragraph 278.

279. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 279 and, accordingly, denies Paragraph 279.

280. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 280 and, accordingly, denies Paragraph 280.

281. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 281 and, accordingly, denies Paragraph 281.

282. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 282 and, accordingly, denies Paragraph 282.

283. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 283 and, accordingly, denies Paragraph 283.

284. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 284 and, accordingly, denies Paragraph 284.

285. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 285 and, accordingly, denies Paragraph 285.

286. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 286 and, accordingly, denies Paragraph 286.

287. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 287 and, accordingly, denies Paragraph 287.

288. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 288 and, accordingly, denies Paragraph 288.

289. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 289 and, accordingly, denies Paragraph 289.

290. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 290 and, accordingly, denies Paragraph 290.

291. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 291 and, accordingly, denies Paragraph 291.

292. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 292 and, accordingly, denies Paragraph 292.

293. Defendant admits Paragraph 293 to the extent that the Trustee has asserted a claim for breach of fiduciary duty, as well as conspiracy, aiding and abetting, and acting in concert in the breach against the Defendant and other parties. However, Defendant denies that he participated in any breach of fiduciary duty, conspiracy, aiding and abetting and/or acting in concert as alleged in Paragraph 293.

294. Defendant denies that Mr. Kopecky was an officer of Royce Homes and Hammersmith Group, and denies that he owed any fiduciary duty, as alleged. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 294 and, accordingly, denies Paragraph 294.

295. Defendant admits the allegations in Paragraph 295 to the extent that Watermark Land's initial purpose was to acquire property along coastal areas and develop resort properties, that it was organized in Delaware on or about December 14, 2005, that it qualified to operate in Texas on or about April 21, 2006, and that Hammersmith Group was the General Partner. Otherwise,

Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 295, and, accordingly, denies the remaining allegations of Paragraph 295.

296. Defendant admits that, as of December 14, 2005, he was a limited partner in Watermark Land, LP. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 296 and, accordingly, denies Paragraph 296.

297. Defendant admits Paragraph 297 to the extent that Park Lake acquired lots in Pirates Beach on or about April 19, 2006. Otherwise Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations of Paragraph 297, and, accordingly, denies the remaining allegations of Paragraph 297.

298. Defendant admits Paragraph 298 to the extent that Watermark acquired lots in Pirates Beach from Park Lake. Otherwise Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations of Paragraph 298, and, accordingly, denies the remaining allegations of Paragraph 298.

299. Defendant admits Paragraph 299 to the extent that Watermark Land LP sold lots in Pirates Beach to Royce Homes in or around June of 2007. Otherwise Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations of Paragraph 299, and, accordingly, denies the remaining allegations of Paragraph 299.

300. Defendant admits Paragraph 300.

301. Defendant admits Paragraph 301.

302. Defendant admits Paragraph 302.

303. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 303 and, accordingly, denies Paragraph 303.

304. Defendant denies the allegations of Paragraph 304.

305. Defendant admits Paragraph 305 to the extent that a portion of the consideration of the settlement between Mr. Kopecky and Mr. Speer was an interest in Watermark Land, LP. Otherwise, Defendant denies the remaining allegations of Paragraph 305.

306. Defendant admits Paragraph 306 to the extent that Mr. Kopecky would not become complicit in any scheme to defraud the Internal Revenue Service. Otherwise, Defendant denies the allegations of Paragraph 306.

307. Defendant admits Paragraph 307 to the extent that a portion of the consideration of the settlement between Mr. Kopecky and Mr. Speer was an interest in Watermark Land, LP. Otherwise, Defendant denies the remaining allegations of Paragraph 307.

308. Defendant admits Paragraph 308 to the extent that the Trustee is seeking to recover \$1.8 million. However, Defendant denies any liability as alleged.

309. Defendant admits Paragraph 309 to the extent that the Trustee has asserted a claim for breach of fiduciary duty, as well as conspiracy, aiding and abetting, and acting in concert in the breach against the Defendant and other parties. However, Defendant denies that he participated in any breach of fiduciary duty, conspiracy, aiding and abetting and/or acting in concert as alleged in Paragraph 309.

310. Defendant denies that Mr. Kopecky was an officer of Royce Homes and Hammersmith Group, and denies that he owed any fiduciary duty, as alleged. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations is Paragraph 310 and, accordingly, denies Paragraph 310.

311. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 311 and, accordingly, denies Paragraph 311.

312. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 312 and, accordingly, denies Paragraph 312.

313. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 313 and, accordingly, denies Paragraph 313.

314. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 314 and, accordingly, denies Paragraph 314.

315. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 315 and, accordingly, denies Paragraph 315.

316. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 316 and, accordingly, denies Paragraph 316.

317. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 317 and, accordingly, denies Paragraph 317.

318. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 318 and, accordingly, denies Paragraph 318.

319. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 319 and, accordingly, denies Paragraph 319.

320. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 320 and, accordingly, denies Paragraph 320.

321. Defendant denies Paragraph 321 to the extent that it alleges that Mr. Kopecky participated in any breach of fiduciary duty. Otherwise, Defendant is without knowledge or

information sufficient to form a belief about the truth of the remaining allegations of Paragraph 321, and, accordingly, denies the remaining allegations of Paragraph 321.

322. Defendant admits Paragraph 322 to the extent that the Trustee is seeking to recover the difference between the consideration paid by Allard and the alleged fair market value of the houses transferred to Allard and for the alleged payments to MGM Motor Sports. However, Defendant denies any liability as alleged.

323. Defendant denies the allegations of Paragraph 323.

324. Defendant denies the allegations of Paragraph 324.

325. Defendant denies the allegations of Paragraph 325.

326. Defendant denies the allegations of Paragraph 326.

327. Defendant denies the allegations of Paragraph 327.

328. Defendant denies the allegations of Paragraph 328.

329. Defendant denies the allegations of Paragraph 329.

330. Defendant denies the allegations of Paragraph 330.

331. Defendant denies the allegations of Paragraph 331.

332. Defendant denies the allegations of Paragraph 332.

333. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 333 and, accordingly, denies Paragraph 333.

334. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 334 and, accordingly, denies Paragraph 334.

335. Defendant denies the allegations of Paragraph 335.

336. Defendant denies the allegations of Paragraph 336.

337. Defendant denies the allegations of Paragraph 337.

338. Defendant denies the allegations of Paragraph 338.

339. Defendant denies the allegations of Paragraph 339. Defendant denies any liability as alleged in Paragraph 339.

340. Defendant denies the allegations of Paragraph 340. Defendant denies any liability, as alleged in Paragraph 340.

341. Defendant denies the allegations of Paragraph 341. Defendant denies any liability, as alleged in Paragraph 341.

342. Defendant admits Paragraph 342 to the extent that the Trustee has asserted a claim against the Defendant and other parties. However, Defendant denies that he participated in any civil theft, conversion, and/or money had and received as alleged in Paragraph 342.

343. Paragraph 343 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 343. Defendant denies any unlawful appropriation of property and denies having any knowledge regarding the authority of John Speer, as alleged.

344. Defendant denies that he owed any fiduciary duty, and he denies any liability as alleged in Paragraph 344. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of remainder of Paragraph 344 and, accordingly, denies the remainder of Paragraph 344.

345. Paragraph 345 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 345.

346. Paragraph 346 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 346.

347. Paragraph 347 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 347. Defendant denies holding any funds belonging to Royce Homes, as alleged.

348. Defendant denies Paragraph 348 to the extent it refers to Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 348 and, accordingly, denies Paragraph 348.

349. Defendant denies that he assumed and/or exercised any dominion, as alleged in Paragraph 349. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 349 and, accordingly, denies Paragraph 349.

350. Defendant denies Paragraph 350 to the extent that it concerns Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 350 and, accordingly, denies Paragraph 350.

351. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 351, and, accordingly, denies such characterization of those documents in Paragraph 351.

352. Defendant admits that the plain terms of the documents construed, taking into account all plain terms, speak for themselves and will be construed by the Court. Defendant is without

knowledge or information sufficient to form a belief about the truth of the characterization of the plain terms of the documents referenced in Paragraph 352, and, accordingly, denies such characterization of those documents in Paragraph 352.

353. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 353 and, accordingly, denies Paragraph 353.

354. Defendant denies any owing any fiduciary duty, as alleged in Paragraph 354. Defendant further denies violating the Theft Liability Act and denies any claim for conversion. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 354 and, accordingly, denies Paragraph 354.

355. Defendant denies committing fraud, defalcation, misapplication of fiduciary property and/or embezzlement and larceny. Defendant denies having any fiduciary duty, as alleged in Paragraph 355. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 355 and, accordingly, denies Paragraph 355.

356. Defendant denies Paragraph 356 to the extent that it applies to Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 356 and, accordingly, denies Paragraph 356.

357. Defendant denies Paragraph 357 to the extent that it applies to Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 357 and, accordingly, denies Paragraph 357.

358. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 358 and, accordingly, denies Paragraph 358.

359. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 359 and, accordingly, denies Paragraph 359.

360. Defendant denies Paragraph 360 to the extent that it implicates Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 360 and, accordingly, denies Paragraph 360.

361. Paragraph 361 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 361.

362. Paragraph 362 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 362.

363. Paragraph 363 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 363.

364. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 364 and, accordingly, denies Paragraph 364.

365. Paragraph 365 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 365.

366. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 366 and, accordingly, denies Paragraph 366.

367. Defendant denies Paragraph 367 to the extent that it concerns Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of

Paragraph 367 and, accordingly, denies Paragraph 367.

368. Defendant admits Paragraph 368 to the extent that the Trustee is seeking reimbursement from other parties. Otherwise, Defendant denies the allegations of Paragraph 368.

369. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 369 and, accordingly, denies Paragraph 369.

370. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 370 and, accordingly, denies Paragraph 370.

371. Paragraph 371 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 371.

372. Paragraph 372 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 372.

373. Paragraph 373 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 373.

374. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 374 and, accordingly, denies Paragraph 374.

375. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 375 and, accordingly, denies Paragraph 375.

376. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 376 and, accordingly, denies Paragraph 376.

377. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 377 and, accordingly, denies Paragraph 377.

378. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 378 and, accordingly, denies Paragraph 378.

379. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 379 and, accordingly, denies Paragraph 379.

380. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 380 and, accordingly, denies Paragraph 380.

381. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 381 and, accordingly, denies Paragraph 381.

382. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 382 and, accordingly, denies Paragraph 382.

383. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 383 and, accordingly, denies Paragraph 383.

384. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 384 and, accordingly, denies Paragraph 384.

385. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 385 and, accordingly, denies Paragraph 385.

386. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 386 and, accordingly, denies Paragraph 386.

387. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 387 and, accordingly, denies Paragraph 387.

388. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 388 and, accordingly, denies Paragraph 388.

389. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 389 and, accordingly, denies Paragraph 389.

390. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 390 and, accordingly, denies Paragraph 390.

391. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 391 and, accordingly, denies Paragraph 391.

392. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 392 and, accordingly, denies Paragraph 392.

393. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 393 and, accordingly, denies Paragraph 393.

394. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 394 and, accordingly, denies Paragraph 394.

395. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 395 and, accordingly, denies Paragraph 395.

396. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 396 and, accordingly, denies Paragraph 396.

397. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 397 and, accordingly, denies Paragraph 397.

398. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 398 and, accordingly, denies Paragraph 398.

399. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 399 and, accordingly, denies Paragraph 399.

400. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 400 and, accordingly, denies Paragraph 400.

401. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 401 and, accordingly, denies Paragraph 401.

402. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 402 and, accordingly, denies Paragraph 402.

403. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 403 and, accordingly, denies Paragraph 403.

404. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 404 and, accordingly, denies Paragraph 404.

405. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 405 and, accordingly, denies Paragraph 405.

406. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 406 and, accordingly, denies Paragraph 406.

407. Defendant admits Paragraph 407 to the extent that a dispute arose between Mr. Kopecky and Mr. Speer in 2008 and that the included quotation from a pleading in that dispute is an accurate quotation. Otherwise, Defendant denies the allegations of Paragraph 407.

408. Defendant admits Paragraph 408 to the extent that Mr. Kopecky alleged in his dispute that he was provided with incorrect financials. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations of Paragraph 408,

and, accordingly, denies the remaining allegations of Paragraph 408.

409. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 409 and, accordingly, denies Paragraph 409.

410. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 410 and, accordingly, denies Paragraph 410.

411. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 411 and, accordingly, denies Paragraph 411.

412. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 412 and, accordingly, denies Paragraph 412.

413. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 413 and, accordingly, denies Paragraph 413.

414. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 414 and, accordingly, denies Paragraph 414.

415. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 415 and, accordingly, denies Paragraph 415.

416. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 416 and, accordingly, denies Paragraph 416.

417. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 417 and, accordingly, denies Paragraph 417.

418. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 418 and, accordingly, denies Paragraph 418.

419. Defendant admits Paragraph 419 to the extent that the Trustee is seeking declaratory

relief from other parties. Otherwise, Defendant denies the allegations of Paragraph 419.

420. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 420 and, accordingly, denies Paragraph 420.

421. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 421 and, accordingly, denies Paragraph 421.

422. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 422 and, accordingly, denies Paragraph 422.

423. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 423 and, accordingly, denies Paragraph 423.

424. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 424 and, accordingly, denies Paragraph 424.

425. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 425 and, accordingly, denies Paragraph 425.

426. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 426 and, accordingly, denies Paragraph 426.

427. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 427 and, accordingly, denies Paragraph 427.

428. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 428 and, accordingly, denies Paragraph 428.

429. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 429 and, accordingly, denies Paragraph 429.

430. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 430 and, accordingly, denies Paragraph 430.

431. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 431 and, accordingly, denies Paragraph 431.

432. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 432 and, accordingly, denies Paragraph 432.

433. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 433 and, accordingly, denies Paragraph 433.

434. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 434 and, accordingly, denies Paragraph 434.

435. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 435 and, accordingly, denies Paragraph 435.

436. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 436 and, accordingly, denies Paragraph 436.

437. Defendant admits Paragraph 437 to the extent that the Trustee is seeking relief from other parties. Otherwise, Defendant denies the allegations of Paragraph 437.

438. Defendant admits Paragraph 438 to the extent that the Trustee is seeking relief from other parties. Otherwise, Defendant denies the allegations of Paragraph 438.

439. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 439 and, accordingly, denies Paragraph 439.

440. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 440 and, accordingly, denies Paragraph 440.

441. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 441 and, accordingly, denies Paragraph 441.

442. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 442 and, accordingly, denies Paragraph 442.

443. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 443 and, accordingly, denies Paragraph 443.

444. Defendant admits Paragraph 444 to the extent that the Trustee is seeking relief from other parties. Otherwise, Defendant denies the allegations of Paragraph 444.

445. Paragraph 445 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 445.

446. Paragraph 446 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 446.

447. Paragraph 447 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 447.

448. Paragraph 448 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 448.

449. Paragraph 449 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 449.

450. Paragraph 450 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 450.

451. Paragraph 451 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 451.

452. Defendant admits Paragraph 452 to the extent that the Trustee is seeking relief from other parties. Otherwise, Defendant denies the allegations of Paragraph 452.

453. Paragraph 453 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 453.

454. Paragraph 454 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 454.

455. Paragraph 455 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 455.

456. Paragraph 456 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 456.

457. Defendant admits Paragraph 457 to the extent that the Trustee is seeking relief from other parties. Otherwise, Defendant denies the allegations of Paragraph 457.

458. Paragraph 458 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 458.

459. Paragraph 459 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 459.

460. Paragraph 460 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 460.

461. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 461 and, accordingly, denies Paragraph 461.

462. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 462 and, accordingly, denies Paragraph 462.

463. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 463 and, accordingly, denies Paragraph 463.

464. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 464 and, accordingly, denies Paragraph 464.

465. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 465 and, accordingly, denies Paragraph 465.

466. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 466 and, accordingly, denies Paragraph 466.

467. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 467 and, accordingly, denies Paragraph 467.

468. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 468 and, accordingly, denies Paragraph 468.

469. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 469 and, accordingly, denies Paragraph 469.

470. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 470 and, accordingly, denies Paragraph 470.

471. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 471 and, accordingly, denies Paragraph 471.

472. Defendant denies receiving assets of Royce Homes in the settlement of his disputes with Speer. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 472 and, accordingly, denies Paragraph 472.

473. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 473 and, accordingly, denies Paragraph 473.

474. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 474 and, accordingly, denies Paragraph 474.

475. Defendant denies receiving approximately \$2,146,046 from Royce Homes; instead, those funds derived from Texas Colonial Homes. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 475 and, accordingly, denies Paragraph 475.

476. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 476 and, accordingly, denies Paragraph 476.

477. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 477 and, accordingly, denies Paragraph 477.

478. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 478 and, accordingly, denies Paragraph 478.

479. Paragraph 479 incorporates Paragraphs 213 to 265 by reference. Defendant admits or denies these incorporated paragraphs on the same basis in ¶¶ 213-265, above.

480. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 480 and, accordingly, denies Paragraph 480.

481. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 481 and, accordingly, denies Paragraph 481.

482. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 482 and, accordingly, denies Paragraph 482.

483. Paragraph 483 relies on facts set forth throughout Trustee's Complaint, specifically Paragraphs 213 to 265. Defendant admits or denies any relied upon Paragraphs on the same basis as set forth elsewhere in this Answer, and specifically in ¶¶ 213-265, above, in response to relied upon Paragraphs 213 to 265.

484. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 484 and, accordingly, denies Paragraph 484.

485. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 485 and, accordingly, denies Paragraph 485.

486. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 486 and, accordingly, denies Paragraph 486.

487. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 487 and, accordingly, denies Paragraph 487.

488. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 488 and, accordingly, denies Paragraph 488.

489. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 489 and, accordingly, denies Paragraph 489.

490. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 490 and, accordingly, denies Paragraph 490.

491. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 491 and, accordingly, denies Paragraph 491.

492. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 492 and, accordingly, denies Paragraph 492.

493. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 493 and, accordingly, denies Paragraph 493.

494. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 494 and, accordingly, denies Paragraph 494.

495. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 495 and, accordingly, denies Paragraph 495.

496. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 496 and, accordingly, denies Paragraph 496.

497. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 497 and, accordingly, denies Paragraph 497.

498. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 498 and, accordingly, denies Paragraph 498.

499. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 499 and, accordingly, denies Paragraph 499.

500. Paragraph 500 relies on facts set forth throughout Trustee's Complaint, specifically Paragraphs 213 to 340, and 377 to 418. Defendant admits or denies any relied upon Paragraphs on the same basis as set forth elsewhere in this Answer; otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 500 and, accordingly, denies Paragraph 500.

501. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 501 and, accordingly, denies Paragraph 501.

502. Paragraph 502 relies on facts set forth throughout Trustee's Complaint, specifically Paragraphs 258 to 264. Defendant admits or denies any relied upon Paragraphs on the same basis as set forth elsewhere in this Answer; otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 502 and, accordingly, denies Paragraph 502.

503. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 503 and, accordingly, denies Paragraph 503.

504. Paragraph 504 relies on facts set forth throughout Trustee's Complaint, specifically Paragraphs 268 and 278. Defendant admits or denies any relied upon Paragraphs on the same basis as set forth elsewhere in this Answer; otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 504 and, accordingly, denies Paragraph 504.

505. Paragraph 505 incorporates all allegations as set forth by Trustee in the Complaint by

reference. Defendant admits or denies these incorporated allegations on the same basis as set forth elsewhere herein.

506. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 506 and, accordingly, denies Paragraph 506.

507. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 507 and, accordingly, denies Paragraph 507.

508. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 508 and, accordingly, denies Paragraph 508.

509. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 509 and, accordingly, denies Paragraph 509.

510. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 510 and, accordingly, denies Paragraph 510.

511. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 511 and, accordingly, denies Paragraph 511.

512. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 512 and, accordingly, denies Paragraph 512.

513. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 513 and, accordingly, denies Paragraph 513.

514. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 514 and, accordingly, denies Paragraph 514.

515. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 515 and, accordingly, denies Paragraph 515.

516. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 516 and, accordingly, denies Paragraph 516.

517. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 517 and, accordingly, denies Paragraph 517.

518. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 518 and, accordingly, denies Paragraph 518.

519. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 519 and, accordingly, denies Paragraph 519.

520. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 520 and, accordingly, denies Paragraph 520.

521. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 521 and, accordingly, denies Paragraph 521.

522. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 522 and, accordingly, denies Paragraph 522.

523. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 523 and, accordingly, denies Paragraph 523.

524. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 524 and, accordingly, denies Paragraph 524.

525. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 525 and, accordingly, denies Paragraph 525.

526. Paragraph 526 incorporates all facts and allegations as set forth by Trustee in the Complaint by reference. Defendant admits or denies these incorporated facts and allegations on the

same basis as set forth elsewhere herein.

527. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 527 and, accordingly, denies Paragraph 527.

528. Paragraph 528 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 528.

529. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 529 and, accordingly, denies Paragraph 529.

530. Paragraph 530 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations of Paragraph 530 and, accordingly, denies the remaining allegations of Paragraph 530.

531. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 531 and, accordingly, denies Paragraph 531.

532. Paragraph 532 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Defendant is without knowledge or information sufficient to form a belief about the truth of the remaining allegations of Paragraph 532 and, accordingly, denies the remaining allegations of Paragraph 532.

533. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 533 and, accordingly, denies Paragraph 533.

534. Paragraph 534 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 534.

535. Paragraph 535 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

536. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 536 and, accordingly, denies Paragraph 536.

537. Paragraph 537 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 537.

538. Paragraph 538 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 538 and, accordingly, denies Paragraph 538.

539. Paragraph 539 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 539 and, accordingly, denies Paragraph 539.

540. Paragraph 540 incorporates facts and allegations as set forth by Trustee in other

portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 540 and, accordingly, denies Paragraph 540.

541. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 541 and, accordingly, denies Paragraph 541.

542. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 542 and, accordingly, denies Paragraph 542.

543. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 543 and, accordingly, denies Paragraph 543.

544. Paragraph 544 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 544.

545. Paragraph 545 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

546. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 546 and, accordingly, denies Paragraph 546.

547. Paragraph 547 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 547.

548. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 548 and, accordingly, denies Paragraph 548.

549. Paragraph 549 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 549 and, accordingly, denies Paragraph 549.

550. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 550 and, accordingly, denies Paragraph 550.

551. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 551 and, accordingly, denies Paragraph 551.

552. Paragraph 552 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 552.

553. Paragraph 553 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

554. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 554 and, accordingly, denies Paragraph 554.

555. Paragraph 555 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 555.

556. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 556 and, accordingly, denies Paragraph 556.

557. Paragraph 557 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 557 and, accordingly, denies Paragraph 557.

558. Paragraph 558 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 558 and, accordingly, denies Paragraph 558.

559. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 559 and, accordingly, denies Paragraph 559.

560. Paragraph 560 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 560.

561. Paragraph 561 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

562. Paragraph 562 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 562.

563. Paragraph 563 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 563.

564. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 564 and, accordingly, denies Paragraph 564.

565. Paragraph 565 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 565 and, accordingly, denies Paragraph 565.

566. Paragraph 566 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 566 and, accordingly, denies Paragraph 566.

567. Paragraph 567 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 567 and, accordingly, denies Paragraph 567.

568. Paragraph 568 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph

568.

569. Paragraph 569 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

570. Defendant admits Paragraph 570 to the extent that the Trustee seeks to recover certain distributions and property and that the included quotation from Defendant's lawsuit with Speer is accurate. Defendant denies being an officer or Royce Homes and Hammersmith. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 570 and, accordingly, denies Paragraph 570.

571. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 571 and, accordingly, denies Paragraph 571.

572. Defendant admits that Trustee's investigation is ongoing.

573. Paragraph 573 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 573.

574. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 574 and, accordingly, denies Paragraph 574.

575. Paragraph 575 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 575 and, accordingly, denies Paragraph 575.

576. Paragraph 576 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 576 and, accordingly, denies Paragraph 576.

577. Paragraph 577 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 577 and, accordingly, denies Paragraph 577.

578. Paragraph 578 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 578.

579. Paragraph 579 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

580. Defendant admits Paragraph 580 to the extent that Defendant received approximately \$2,146,046. However, those funds derived from Texas Colonial Homes, and Defendant denies any liability to Trustee arising therefrom.

581. Paragraph 581 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 581.

582. Defendant denies Paragraph 582.

583. Paragraph 583 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant denies the allegations of Paragraph 583.

584. Paragraph 584 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Defendant denies the allegations of Paragraph 584.

585. Defendant denies Paragraph 585.

586. Paragraph 586 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 586.

587. Paragraph 587 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

588. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 588 and, accordingly, denies Paragraph 588.

589. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 589 and, accordingly, denies Paragraph 589.

590. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 590 and, accordingly, denies Paragraph 590.

591. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 591 and, accordingly, denies Paragraph 591.

592. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 592 and, accordingly, denies Paragraph 592.

593. Paragraph 593 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 593.

594. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 594 and, accordingly, denies Paragraph 594.

595. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 595 and, accordingly, denies Paragraph 595.

596. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 596 and, accordingly, denies Paragraph 596.

597. Paragraph 597 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 597.

598. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 598 and, accordingly, denies Paragraph 598.

599. Paragraph 599 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 599 and, accordingly, denies Paragraph 599.

600. Paragraph 600 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 600 and, accordingly, denies Paragraph 600.

601. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 601 and, accordingly, denies Paragraph 601.

602. Paragraph 602 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 602.

603. Paragraph 603 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

604. Defendant admits Paragraph 604 to the extent that the Trustee seeks to avoid transactions and recover certain value allegedly received. Otherwise, Defendant denies Paragraph 604.

605. Paragraph 605 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 605.

606. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 606 and, accordingly, denies Paragraph 606.

607. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 607 and, accordingly, denies Paragraph 607.

608. Paragraph 608 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 608 and, accordingly, denies Paragraph 608.

609. Paragraph 609 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 609 and, accordingly, denies Paragraph 609.

610. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 610 and, accordingly, denies Paragraph 610.

611. Paragraph 611 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 611 and, accordingly, denies Paragraph 611.

612. Paragraph 612 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 612 and, accordingly, denies

Paragraph 612.

613. Paragraph 613 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 613.

614. Paragraph 614 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 614 and, accordingly, denies Paragraph 614.

615. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 615 and, accordingly, denies Paragraph 615.

616. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 616 and, accordingly, denies Paragraph 616.

617. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 617 and, accordingly, denies Paragraph 617.

618. Paragraph 618 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 618 and, accordingly, denies Paragraph 618.

619. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 619 and, accordingly, denies Paragraph 619.

620. Paragraph 620 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 620 and, accordingly, denies Paragraph 620.

621. Paragraph 621 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 621.

622. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 622 and, accordingly, denies Paragraph 622.

623. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 623 and, accordingly, denies Paragraph 623.

624. Paragraph 624 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 624.

625. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 625 and, accordingly, denies Paragraph 625.

626. Paragraph 626 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 626 and, accordingly, denies Paragraph 626.

627. Paragraph 627 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 627 and, accordingly, denies Paragraph 627.

628. Paragraph 628 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 628 and, accordingly, denies Paragraph 628.

629. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 629 and, accordingly, denies Paragraph 629.

630. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 630 and, accordingly, denies Paragraph 630.

631. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 631 and, accordingly, denies Paragraph 631.

632. Paragraph 632 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 632.

633. Paragraph 633 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

634. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 634 and, accordingly, denies Paragraph 634.

635. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 635 and, accordingly, denies Paragraph 635.

636. Defendant admits Paragraph 636 to the extent that the Trustee seeks to avoid and recover the stated alleged transfer. Otherwise, Defendant denies Paragraph 636.

637. Paragraph 637 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 637.

638. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 638 and, accordingly, denies Paragraph 638.

639. Paragraph 639 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 639 and, accordingly, denies Paragraph 639.

640. Paragraph 640 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 640 and, accordingly, denies Paragraph 640.

641. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 641 and, accordingly, denies Paragraph 641.

642. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 642 and, accordingly, denies Paragraph 642.

643. Paragraph 643 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 643.

644. Paragraph 644 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

645. Paragraph 645 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 645.

646. Defendant denies the allegations of Paragraph 646 as they relate to Defendant. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 646 and, accordingly, denies Paragraph 646.

647. Paragraph 647 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 647.

648. Paragraph 648 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 648.

649. Paragraph 649 contains Trustee's legal arguments to which no response is required.

To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 649.

650. Paragraph 650 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

651. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 651 and, accordingly, denies Paragraph 651.

652. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 652 and, accordingly, denies Paragraph 652.

653. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 653 and, accordingly, denies Paragraph 653.

654. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 654 and, accordingly, denies Paragraph 654.

655. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 655 and, accordingly, denies Paragraph 655.

656. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 656 and, accordingly, denies Paragraph 656.

657. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 657 and, accordingly, denies Paragraph 657.

658. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 658 and, accordingly, denies Paragraph 658.

659. Paragraph 659 contains Trustee's legal arguments to which no response is required.

To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 659.

660. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 660 and, accordingly, denies Paragraph 660.

661. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 661 and, accordingly, denies Paragraph 661.

662. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 662 and, accordingly, denies Paragraph 662.

663. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 663 and, accordingly, denies Paragraph 663.

664. Defendant admits Paragraph 664 to the extent that the Trustee is seeking an equitable lien, constructive trust and turnover order. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 664 and, accordingly, denies Paragraph 664.

665. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 665 and, accordingly, denies Paragraph 665.

666. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 666 and, accordingly, denies Paragraph 666.

667. Defendant admits Paragraph 667 to the extent that the Trustee is seeking an equitable lien and constructive trust. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 667 and, accordingly, denies Paragraph 667.

668. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 668 and, accordingly, denies Paragraph 668.

669. Paragraph 669 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 669 and, accordingly, denies Paragraph 669.

670. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 670 and, accordingly, denies Paragraph 670.

671. Paragraph 671 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 671.

672. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 672 and, accordingly, denies Paragraph 672.

673. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 673 and, accordingly, denies Paragraph 673.

674. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 674 and, accordingly, denies Paragraph 674.

675. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 675 and, accordingly, denies Paragraph 675.

676. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 676 and, accordingly, denies Paragraph 676.

677. Defendant is without knowledge or information sufficient to form a belief about the

truth of Paragraph 677 and, accordingly, denies Paragraph 677.

678. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 678 and, accordingly, denies Paragraph 678.

679. Defendant admits Paragraph 679 to the extent that the Trustee is seeking an equitable lien; otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 679, accordingly, denies Paragraph 679.

680. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 680 and, accordingly, denies Paragraph 680.

681. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 681 and, accordingly, denies Paragraph 681.

682. Defendant admits Paragraph 682 to the extent that the Trustee is seeking an equitable lien and constructive trust. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 682 and, accordingly, denies Paragraph 682.

683. Paragraph 683 incorporates facts and allegations as set forth by Trustee in other portions of the Complaint. Defendant admits or denies these incorporated facts and allegations on the same basis as set forth elsewhere herein.

684. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 684 and, accordingly, denies Paragraph 684.

685. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 685 and, accordingly, denies Paragraph 685.

686. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 686 and, accordingly, denies Paragraph 686.

687. Defendant admits that Trustee seeks a judgment against Park Lake. Otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 687 and, accordingly, denies Paragraph 687.

688. Paragraph 688 contains Trustee's legal arguments to which no response is required. To the extent that a responsive pleading is necessary, Defendant denies the allegations of Paragraph 688.

689. Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 689 and, accordingly, denies Paragraph 689.

690. Defendant admits to Paragraph 690 as a general proposition of law; otherwise, Defendant is without knowledge or information sufficient to form a belief about the truth of Paragraph 690 and, accordingly, denies Paragraph 690.

691. Defendant admits that Trustee seeks a judgment against Hammersmith. Otherwise, Defendant denies the allegations of Paragraph 691.

692. Defendant generally denies any allegation that has not been expressly admitted.

RESPONSE TO COMPLAINT PRAYER

1. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 1(a)-(r).

2. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 2(a)-(f).

3. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 3(a)-(i).

4. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for

Relief and Paragraph 4(a)-(q).

5. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 5(a)-(c).

6. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 6(a)-(p).

7. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 7(a)-(d).

8. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 8(a)-(c).

9. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 9(a)-(c).

10. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 10(a)-(g).

11. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 11(a)-(j).

12. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 12.

13. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 13.

14. Defendant denies that the Trustee is entitled to any relief sought in the Prayer for Relief and Paragraph 14.

15. Defendant denies Paragraph 15.

16. Defendant generally denies any allegation that has not been expressly admitted.

DEFENSES AND AFFIRMATIVE DEFENSES

1. The Trustee has stated claims upon which relief may not be granted. The Trustee has stated claims which are frivolous.

2. Alternatively, in the unlikely event, the Trustee has stated any alleged claims, then the Trustee has stated alleged claims upon which Defendant is entitled to a jury trial. Defendant does not consent to a jury trial in this Court. The reference should be withdrawn.

3. Alternatively, the Trustee is precluded from recovery, in whole or in part, by the doctrines of release, accord and satisfaction, settlement, and issue and claims preclusion and by the failure of the Trustee to comply with the terms of the settlement agreement. Alternatively, in the unlikely event the settlement is not enforced, then the Trustee owes Defendant for the full value of Defendant's right, title and interest in Texas Colonial Homes.

4. Alternatively, Defendant denies that he owed the duties which the Trustee alleges that Defendant owes. Alternatively, Defendant denies that he breached any duties owed.

5. Alternatively, Defendant asserts that any funds distributed to Defendant were funds of Texas Colonial Homes and not the Debtor which, at the time of the respective distributions, held such funds in trust or for the benefit of Texas Colonial Homes.

6. Alternatively, the Trustee is precluded from recovery, in whole or in part, because Defendant was not a partner of Royce Homes, L.P., thereby negating any claims for breach of partnership agreement.

7. Alternatively, the Trustee is precluded from recovery, in whole or on part, because Defendant did not have knowledge as alleged of the alleged wrongful acts or conduct (if proved to

be true).

8. Alternatively, the Trustee is precluded from recovery, in whole or on part, because Defendant's scope of any alleged responsibilities did not embrace the areas of alleged wrongful conduct or the authority to act on such alleged matters (if proved to be true).

9. Alternatively, Defendant did not have the alleged actual or imputed knowledge.

10. Alternatively, Defendant asserts all affirmative defenses available under the Texas Business and Commerce Code.

11. Alternatively, Defendant asserts all affirmative defenses available under 6 Del.C. §§1304, 1305 and 1309 (DUFTA).

12. Alternatively, Defendant asserts that Trustee's fraudulent transfer claims are barred, in whole or in part, because the Debtor was not insolvent at the time of the alleged transfers as alleged.

13. Alternatively, Defendant asserts that the property, the subject of which constituted the alleged transfers, was not property of the estate as alleged.

14. Alternatively, Defendant asserts the affirmative defense of limitation to the extent it seeks recovery on allegations that are time barred by statute.

15. Alternatively, the Trustee is precluded from recovery, in whole or on part, under the business judgment rule.

16. Alternatively, the Trustee is precluded from recovery, in whole or on part, under the doctrines of justification and privilege.

17. Alternatively, the Trustee is precluded from recovery, in whole or on part, under the doctrine of ratification.

18. Alternatively, the Trustee is precluded from recovery, in whole or on part, under the doctrines of laches, waiver, estoppel, bad faith, and/or unclean hands.

19. Alternatively, the Trustee is precluded from recovery, in whole or in part, under the principles of comparative fault and causation.

20. Alternatively, Defendant did not engage in the alleged conduct which must exist for any of the alleged claims.

21. Alternatively, Defendant did not receive any notice required for any alleged liability.

22. Alternatively, there is no cause of action for conspiracy to breach a contract or for aiding and abetting in the breach of a contract.

23. Alternatively, with regard to any fraud claims against Defendant, no representations by Defendant form the basis of the alleged fraud claims.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Court deny the relief sought by Trustee against Defendant, and that the Court grant judgment for all available whole, partial, general, specific, legal, equitable, statutory or other relief to which he may be justly entitled.

Respectfully submitted,
By: /s/ Pascal Paul Piazza
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CERTIFICATE OF SERVICE

I hereby certify service of a true and correct copy of GEORGE KOPECKY'S AMENDED ANSWER TO PLAINTIFF'S THIRD AMENDED COMPLAINT on the 18th day of September, 2012, as follows:

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